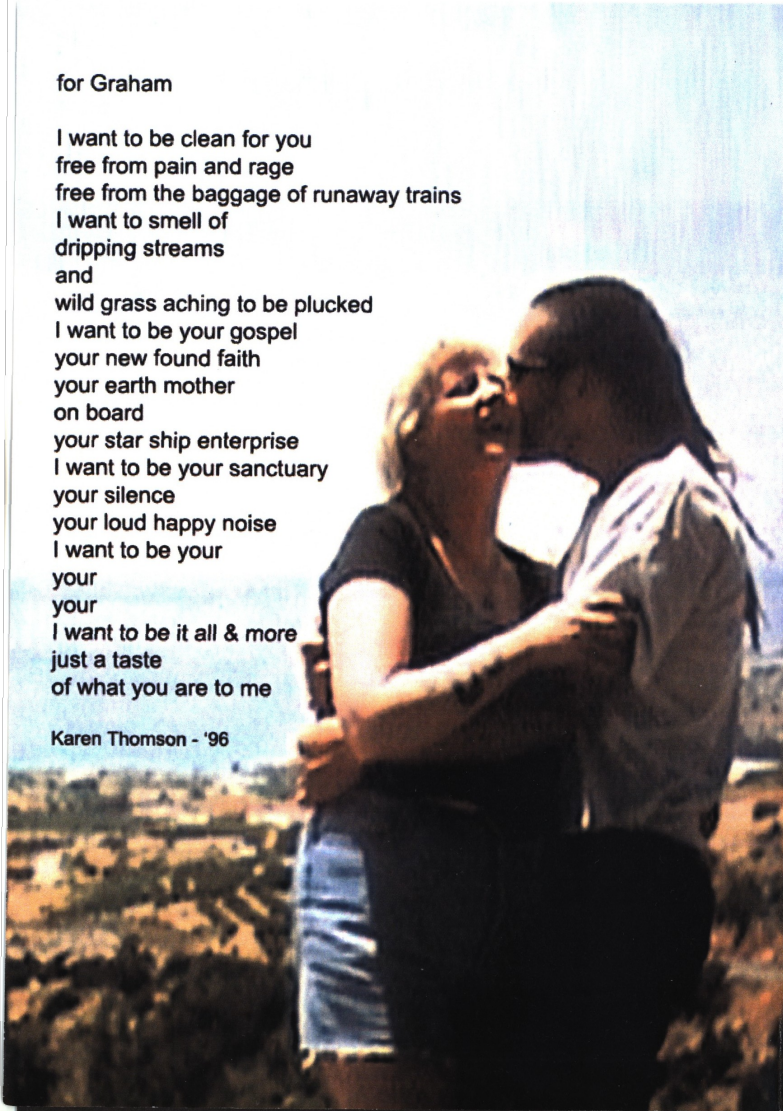


for Graham

I want to be clean for you
free from pain and rage
free from the baggage of runaway trains
I want to smell of
dripping streams
and
wild grass aching to be plucked
I want to be your gospel
your new found faith
your earth mother
on board
your star ship enterprise
I want to be your sanctuary
your silence
your loud happy noise
I want to be your
your
I want to be it all & more
just a taste
of what you are to me

Karen Thomson - '96



for Karen

some of them were bastards
most of them were fools
none of them could
hold a candle to you

so you hid your disappointment
learned to bend their rules
abandoning hope that one
might really want to know you

now you're talking in the bathtub
crying when you come
reaching highs that
were previously denied you

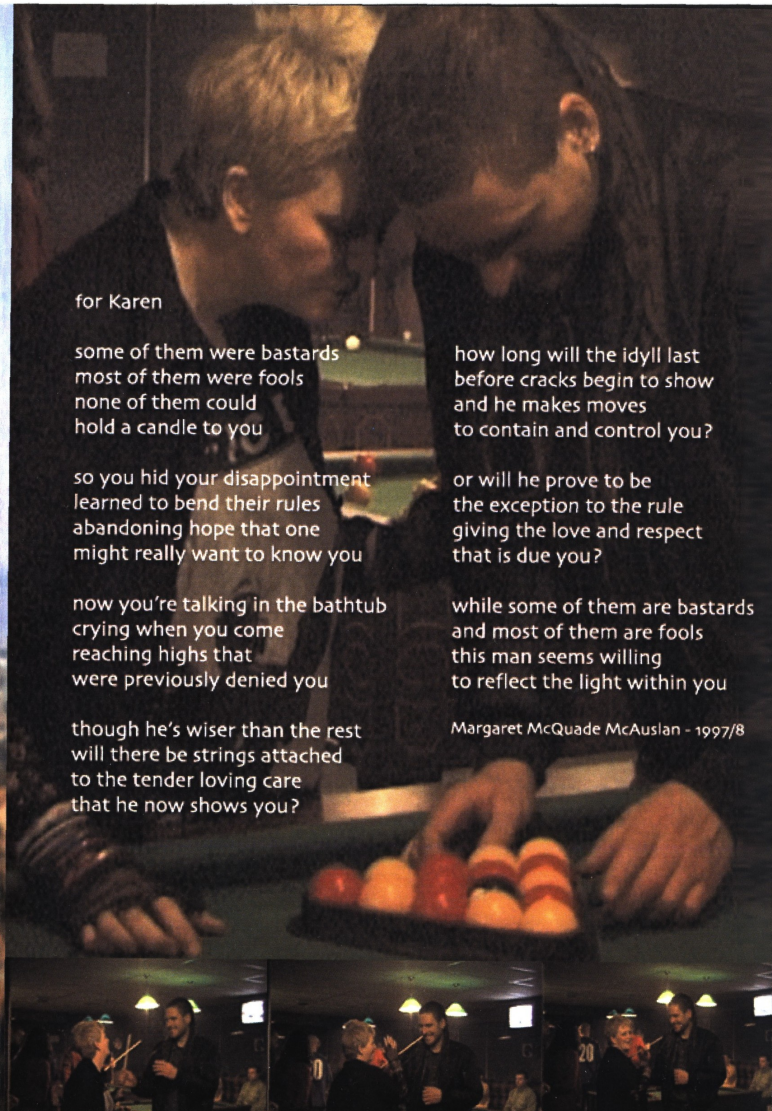
though he's wiser than the rest
will there be strings attached
to the tender loving care
that he now shows you?

how long will the idyll last
before cracks begin to show
and he makes moves
to contain and control you?

or will he prove to be
the exception to the rule
giving the love and respect
that is due you?

while some of them are bastards
and most of them are fools
this man seems willing
to reflect the light within you

Margaret McQuade McAuslan - 1997/8



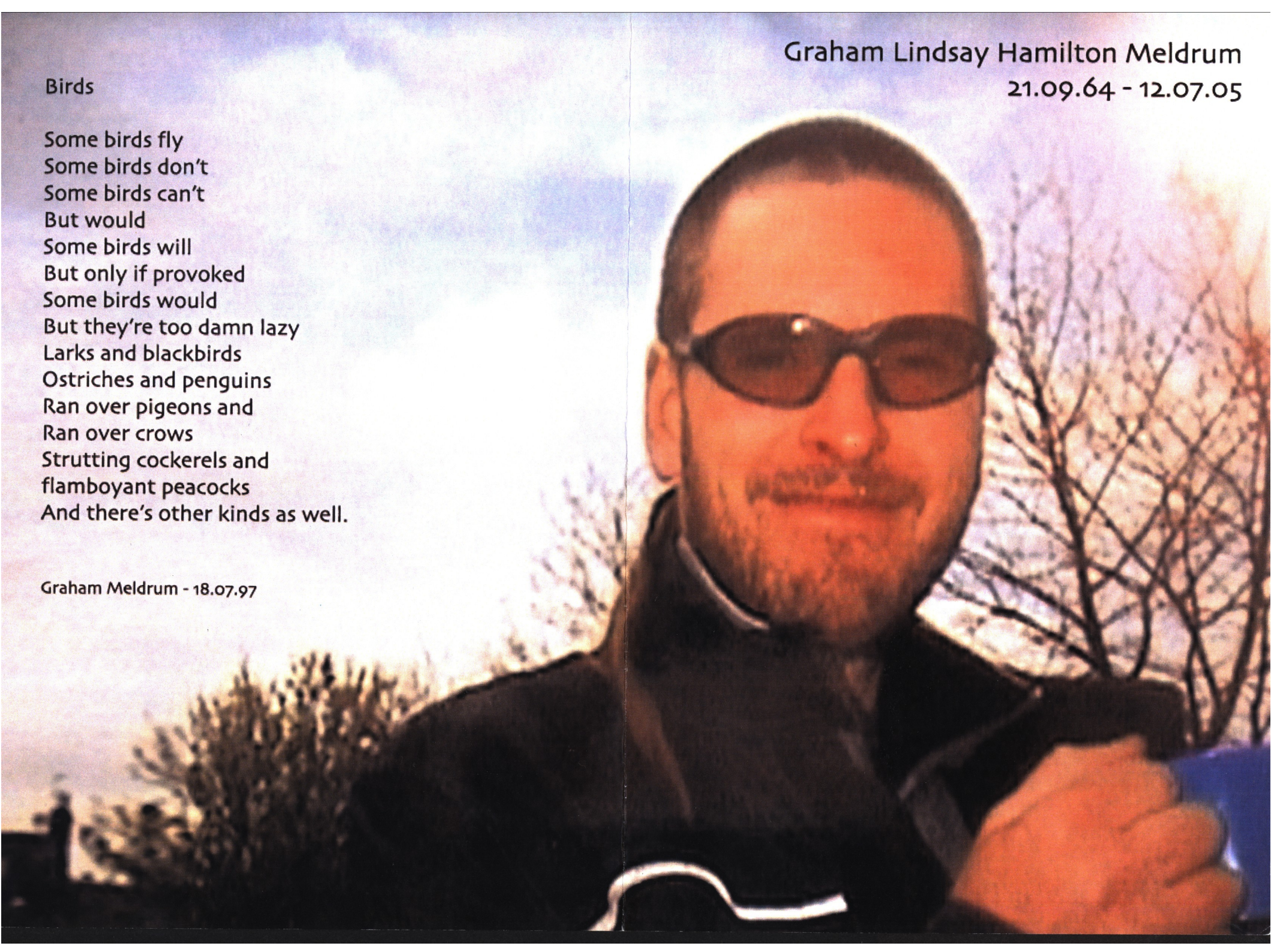
Birds

Some birds fly
Some birds don't
Some birds can't
But would
Some birds will
But only if provoked
Some birds would
But they're too damn lazy
Larks and blackbirds
Ostriches and penguins
Ran over pigeons and
Ran over crows
Strutting cockerels and
flamboyant peacocks
And there's other kinds as well.

Graham Meldrum - 18.07.97

Graham Lindsay Hamilton Meldrum

21.09.64 - 12.07.05



Graham Meldrum Memorial Campaign

HARD WORK NEVER KILLED ANYONE..?



Concern For The Welfare of All Workers

Graham Meldrum was killed in a workplace incident on the 12th of July 2005 at Allied Bakeries in the Balmore Industrial Estate. He was employed by Suzilene Agency contracted to ABF Grains (formerly known as Allied Bakeries) & TNT Logistics UK. His death is now the subject of a prosecution under Health & Safety Laws.

Graham was 40 years old, he left elderly parents, a partner and children to mourn and pick up the pieces. Graham's death was horrific and needless. A gifted, decent man was denied his tomorrows. Graham was renowned for his respect and care for all workers, his sixteen years as a transport manager at GreenCity Wholefoods testament to this. Graham took a sabbatical from his Managerial duties at GreenCity to visit family in New Zealand and on his return wanted to gain further experience driving HGVs with other companies.

Graham loved machines; his building of cycles as a youngster, his restoration of classic motorbikes, his inventing and building of his beloved trike, his working as a driver as opposed to using his PhD in Chemistry made him unique.

Graham was a very artistic welder who hated greed, loved life, worked hard and was partial to a beer or three. His disjointed dancing and love of punk music and Johnny Cash made us all smile. We have to learn from his death, it can't be in vain. We ask you to remember him today; we ask you to look after yourself and your colleagues regardless of who they are: temporary, casual, agency, whoever, we all have the right to life. So please look after yourself today and tomorrow; you are worth more than any cost or time cutting exercise, you are worth more than any target regardless of who set it.

We understand the pressures of work as did Graham but they are not worth dying for. Graham's family and friends have had to endure his loss, we don't wish it for any other family.

Contact:

The Graham Meldrum Memorial Campaign, GreenCity, 23 Fleming St, Dennistoun, Glasgow, G31 1PQ

E: gmmc@hotmail.co.uk OR visit www.myspace.com/gmmemorialcampaign

T: 07784824491

DON'T LET EMPLOYERS GET AWAY WITH MURDER

...Well here at the Graham Meldrum Memorial Campaign we don't agree with that, work kills and maims. Families Against Corporate Killing (F.A.C.K.) estimate that 1,700 people are killed annually in workplace incidents; that's not including the thousands who die of occupational diseases. We refuse to use the word accident because over 70% of deaths and injuries are due to management health and safety issues. Like F.A.C.K. we want government action to implement laws of corporate manslaughter for employers who negligently kill and maim workers. If they take the profits they must take the responsibility.

We are disgusted at the slashing of the Health and Safety Executive's budget- meaning less inspections in an already under-resourced area. We call for more protection for all workers and seek corporate accountability through a change in Legislation. More importantly we ask you to look after yourselves, your work colleagues; no matter what pressure or expectations companies put on you don't do anything that is unsafe- don't put yourself or any of your fellow workers lives at risk.

We can't bring Graham back, or any of the countless others, but together we can fight to stop other needless deaths.



HARD WORK NEVER KILLED ANYONE?

If you would like to share comments, or would like to offer help - you can contact:

The Graham Meldrum Memorial Campaign, Greencity, 23 Fleming St, Dennistoun, Glasgow, G31 1PQ

E-mail: gmmc@hotmail.co.uk or telephone: 07784824491

Other useful contacts:

F.A.C.K. (Families Against Corporate Killing)- www.fack.org.uk

Centre For Corporate Accountability- www.centreforporateaccountability.org

Simon Jones Memorial Campaign- www.simonjones.org.uk

Health & Safety Executive- www.hse.gov.uk

Hazards Campaign- www.hazardscampaign.org.uk

Schnews- www.schnews.org.uk

Corporate Watch- www.corporatewatch.org

STUC- Ian Tasker- Tasker@stuc.org.uk

The only thing necessary for the continuation of evil is for good people to do nothing.

22 May 2007

Mr John Cooper
[REDACTED]
[REDACTED]
[REDACTED]

Dear Mr Cooper,

Thank you for taking the time out to contact me and trusting me with your case. As your elected representative I am only too pleased to help in any way I can.

I believe you have spoken to Humza Yousaf, my Parliamentary Assistant, who in turn has filled me in with the details of your friend's case. As a response, I have written a letter to Glasgow's Procurator Fiscal asking for immediate action to be taken. I enclose the aforesaid letter and will of course keep you in touch with any communications I receive in return.

In the meantime do not hesitate to get back in touch with me.

Yours for Scotland,



Bashir Ahmad MSP

DEMONSTRATE

against corporate killing



The Graham Meldrum Memorial Campaign

HARD WORK NEVER KILLED ANYONE...?

9am, Thurs 30th Aug 2007, Glasgow Sheriff Court, Carlton Place.

www.myspace.com/gmmemorialcampaign

Graham Lindsay Hamilton Meldrum

21-09-64 to 12-07-06

- Graham Meldrum was killed in an incident at work on the 12th of July 2005 at Allied Bakeries on the Balmore Industrial estate in Glasgow. Graham was unloading a truck by the use of a tail lift. In the days following the incident several trucks with similar tail lifts were withdrawn from operation.
- Several weeks after this, Graham Meldrum's parents and Karen Thomson attended a meeting with a HSE representative and two police officers, who had attended the incident. We were told that this was very early in the investigation and that there was not much in the way of information in regards to the incident.
- The Health and safety report was presented to the Procurator Fiscal early 2006. After several telephone calls from Karen Thomson's Lawyer, an eventual complaint being launched, we were given an appointment with a Procurator Fiscal in late July / early August 2006. Unfortunately at the meeting the Procurator Fiscal did not attend sending a precognition officer in their stead. The precognition officer outlined the details of the incident, which showed no blame was attached to Graham Meldrum and that the Tailift involved had several faults, previously reported.
- The necessary criteria for a prosecution were evident and we were informed that a prosecution would happen before the end of the year. Also we were informed that the Procurator Fiscal who was taking the investigation had left the position, leaving the post unfilled.
- The last correspondence to my lawyer, from the Procurator Fiscal's office was October 06, which stated that further investigation and subsequent prosecution would take place early 2007.
- Family and friends, and now in a position where they need to know what is happening with the case. Graham Meldrum's parents are both in their eighties and are not in the best of health. Graham's mother is suffering Alzheimer's disease. We are therefore asking for an explanation of why there is a delay in the investigation and prosecution. And when can we expect to see further movement in this case. It is now approaching two years since the incident and we still do not have a fatal accident inquiry formally completed. Additionally we are still awaiting formal information as to the way forward.

DON'T LET EMPLOYERS GET AWAY WITH MURDER

Graham Lindsay Hamilton Meldrum
21.09.64 - 12.07.05



HARD WORK NEVER KILLED ANYONE...?

Graham Meldrum was killed in a workplace incident on the 12th July 2005 at Allied Bakeries in the Balmore Industrial Estate. His death is now the subject of a prosecution under Health & Safety Laws. Graham was 40 years old, he left elderly parents, a partner and children to mourn and pick up the pieces. Graham's death was horrific and needless. A gifted, decent man denied his tomorrows. Families Against Corporate Killing estimate over 1,700 people are killed annually in workplace incidents; that is not including those who die of occupational diseases. Together we can fight to stop other needless deaths.

5th July, 9am Glasgow Sherrif Court, Carlton Place
(adjacent to Mosque)

12th July, 4pm: A Commemoration Service will also
be held outside Allied Bakers (assemble at The Inn,
Balmore Road, Lambhill 3pm)

For more information contact The Graham Meldrum Memorial Campaign, c/o GreenCity,
23 Fleming Street, Dennistoun, GLASGOW, G311PQ; T: 0778 482 4491
E: gmmc@hotmail.co.uk or visit www.myspace.com/gmmemorialcampaign

c/o GMMC
GREENCITY
23 FLEMING ST
DENNISTOUN
GLASGOW
G31 1PQ

F.A.O. DIET COURT
AUG 2ND 2007

My friend Graham Meldrum was killed at his work on the 12th of July 2005. I have waited for over two years to make some closure on this and I object very strongly to another extension being granted to the accused in this case.

Graham's family , his friends and I need our wishes and well being taken into consideration, they cannot continue with their greiving process with inhumane delays like this. Please take our views into consideration.

With regards,

cc: Miss Karen Thomson



The Scottish
Parliament

22nd May 2007

Mrs C Dyer
Procurator Fiscals Office
93 West Nile Street
Glasgow
G1 2SH

Dear Mrs Dyer,

I am writing to you on behalf of my constituent, Miss Karen Thomson. Miss Thomson's partner at the time, Mr Graham Meldrum, was tragically killed in an industrial accident on the 12th July 2005. A Health & Safety Inquiry was launched and it was found that there were clear reasons for bringing charges against the company involved.

As a result, the case has been with your office since early 2006. Miss Thomson has since then only been able to meet with a precognition officer and received various correspondences from your office. The last correspondence she received was sent to her in October 2006 and stated that her case would be dealt with by early 2007. She has not received any further correspondence or had any communication from anyone in your office since then.

I am sure you will agree that this is an unacceptable situation and I hope that you will be able to prioritise her case.

I look forward to your response.

Yours sincerely,

Bashir Ahmad MSP



05 June 2007

Mr John Cooper



Dear Mr Cooper,

Thank you for leaving a message with our office recently. I attach a response from the procurator fiscals office saying that they are looking at the case.

I think it would be a good idea to seek a meeting with Kenny MacAskill the Justice Minister on this issue. The best route I could advise for this is either writing a letter to his office or e-mailing him directly on Kenny.MacAskill.msp@scottish.parliament.uk.

I will of course keep you updated with further developments as they come into the office.

Yours for Scotland,

Bashir Ahmad



CROWN OFFICE AND PROCURATOR FISCAL SERVICE

COPY Mrs Thompson
Mr Cooper

Glasgow Area

Catherine Dyer, Area Procurator Fiscal

Bashir Ahmad MSP
Scottish Parliament
EDINBURGH
EH99 1SP

Procurator Fiscal's Office
10 Ballater Street
Glasgow G5 9PS

Telephone: 0844 516 2063
Fax: 0844 516 2443
Rutland DX: 501557
<http://www.crownoffice.gov.uk>

Your ref:
Our ref: CH

25 May 2007

Dear Mr Ahmad

I acknowledge receipt of your letter addressed to Mrs Dyer dated 22 May 2007, which is receiving attention. A full response will be sent in due course.

Yours sincerely

CAROL HORNER
Personal Assistant

20 June 2007

Mr John Cooper



Dear Mr Cooper,

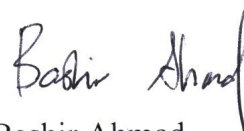
I have received a reply from the Procurator Fiscal's office which I believe you have also been given to Miss Karen Thompson and I have enclosed a copy for your interest.

I believe that the Procurator Fiscal's office has taken the appropriate action and was glad to read that they have set a date for the Pleading Diet to begin.

I hope this will lead to justice being served for you and other friends and family of Mr Meldrum.

Please do not hesitate to contact me in the future if there is anything more you feel I can do.

Yours for Scotland,



Bashir Ahmad



CROWN OFFICE AND PROCURATOR FISCAL SERVICE

Glasgow Area

Catherine Dyer, Area Procurator Fiscal

Deaths Unit (attached to Division A)

PROCURATOR FISCAL'S OFFICE

10 Ballater Street

Glasgow

G5 9PS

Telephone: 0844 561 2064

Fax: 0844 561 2440

Rutland DX: 501557

www.pfglasgowdeathsunit@copfs.gsi.gov.uk

Your ref:

Our ref: GDM/MC/GL05040343

Date: 14 June 2007

Mr Bashir Ahmad MSP
Scottish Parliament
EDINBURGH
EH99 1SP

Dear Mr Ahmad

YOUR CONSTITUENT: KAREN THOMSON

Thank you for your letter of 22 May 2007. Mrs Dyer has asked me to reply as I am responsible for overseeing cases of this sort.

I am sorry that Miss Thomson feels that she did not receive sufficient information about progress and can confirm that she will do so from now on.

The circumstances surrounding the death of Graham Meldrum have been carefully investigated by this office. This case required that a considerable number of witnesses were precognosced, including expert Health and Safety Executive Officers to ensure that all available evidence was drawn together to allow Crown Counsel to consider the position fully.

Crown Counsel have now instructed that criminal proceedings should be raised in the Sheriff Court against ABF Grain Products Limited and TNT Logistics UK Limited. A Pleading Diet has been fixed for 5 July 2007 at Glasgow Sheriff Court.

I have written to Miss Thomson, to inform her of developments. She will now receive regular updates on the progress of Court proceedings from the Victim Information and Advice Officer who has been assigned to assist her.

Yours sincerely



GEORGE MacLEOD

Principal Procurator Fiscal Depute

between 27 April 2005 and 12 July 2005, both dates inclusive at 180 Glentamar Road, Glasgow you ABF GRAIN PRODUCTS LIMITED and TNT LOGISTICS UK LIMITED being an employer within the meaning of the aftermentioned Regulations did fail to ensure that all persons using work equipment, namely Ratcliff RV1500LC cam closure tail lift fitted to trailer number 05739 had available to them adequate health and safety information and where appropriate written instructions pertaining to the use of said work equipment in that you failed to ensure that said Graham Meldrum, now deceased, had been provided with adequate health and safety information pertaining to its use;

CONTRARY to the Provision and Use of Work Equipment Regulations 1998, Regulation 8(1) and the Health and Safety at Work etc. Act 1974, Section 33(1)(c)

(004) between 27 April 2005 and 12 July 2005, both dates inclusive at 180 Glentamar Road, Glasgow you ABF GRAIN PRODUCTS LIMITED and TNT LOGISTICS UK LIMITED being an employer within the meaning of the aftermentioned Regulations did fail to ensure that persons using work equipment, namely Ratcliff RV1500LC cam closure tail lift fitted on trailer number 05739 had received adequate training for the purposes of health and safety as defined in the aftermentioned Regulations in that you failed to ensure that said Graham Meldrum, now deceased, had received adequate training in the use of said tail lift;

CONTRARY to the Provision and Use of Work Equipment Regulations 1998, Regulation 9(1) and the Health and Safety at Work etc. Act 1974, Section 33(1)(c)

(005) between 27 April 2005 and 12 July 2005, both dates inclusive at 180 Glentamar Road, Glasgow you ABF GRAIN PRODUCTS LIMITED and TNT LOGISTICS UK LIMITED being employers within the meaning of the aftermentioned Act, did fail to ensure that any person working in your undertaking, who was not your employee, was provided with appropriate instructions and comprehensible information regarding any risks to that person's health and safety which arose out of the conduct by you of your undertaking in that you failed to provide Graham Meldrum, now deceased, comprehensive information about said risks associated with the Ratcliff RV1500LC cam closure tail lifts;

CONTRARY to the Management of Health and Safety at Work Regulations 1999, regulation 12(3) and the Health and Safety at Work Act 1974, Section 33(1)(c)

Procurator Fiscal Depute

Diet

20 .-The Court Assigns
20 , at .m., within the SHERIFF Court-House,
as a Diet in this case

Clerk of Court



CROWN OFFICE AND PROCURATOR FISCAL SERVICE

Victim Information and Advice

Glasgow Office

**VIA Office
Procurator Fiscal's Office
10 Ballater Street
Glasgow, G5 9PS**

Telephone: **0844 561 2192**
Rutland DX: GW221
Jillian.MacNiven@copfs.gsi.gov.uk
<http://www.crownoffice.gov.uk>

Our ref: GE07010765

14 June 2007

Ms Karen Thomson

Dear Ms Thomson

CASE AGAINST: ABF GRAIN PRODUCTS LIMITED + TNT LOGISTICS UK LIMITED

I work for Victim Information and Advice (VIA), which is part of the Crown Office and Procurator Fiscal Service. I enclose, for your information, a leaflet explaining the services we provide.

I can provide you with general information about the criminal justice process and can also advise you about services in your area that may be able to help you. I will give you regular updates on the progress of this case unless you would prefer not to receive this information. Please note that I am unable to discuss the evidence in the case with you.

Investigations have now been completed and the decision has been taken that the case should proceed before a Sheriff at Glasgow Sheriff Court.

The case will next call in court on 5 July 2007 for a Pleading Diet. This is a hearing at which the Sheriff will ask the accused if they plead guilty or not guilty to the crime.

If you wish to attend on this date please contact me on the above number and I will make arrangements for you to be met by the Witness Service.

I will write to you again after the next hearing to let you know the outcome. Meantime, if I can be of further assistance please let me know.

Yours sincerely

Jillian MacNiven
VIA Officer

Ms Karen Thomson

Please quote this reference

FTM/THOMSON/T05G0092

13 July 2007

Dear Karen

I refer to my telephone conversation with you on 11 July 2007. I hope it all went according to plan for the Memorial Service

PETITION PROCEEDINGS

I note that you received a communication from the Scottish Legal Aid Board advising you that legal aid had been granted. I have also received notification together with the Legal Aid Certificate. There is provision for me to advise them within one month that you wish to proceed with Legal Aid and I have accordingly done so.

I have also instructed Alan Caskie to draft the Petition. Once that is done I will then have that approved by the Court, lodge with the court the necessary documents and then serve the Petition on the Lord Advocate and the Advocate General.

They will then require to provide a response. This may or may not take the form of a written document. In any event there will then be fixed a First Hearing where matters will begin to be debated before the Judge.

It may be that in the course of proceedings the Lord Advocate will refer to the criminal proceedings currently underway (if that is by then still the case) which may delay the Petition and/or the Lord Advocate may in fact intimate that a Fatal Accident Inquiry is to be held.

FAILURE TO ADVISE

As you know I had written to the Procurator Fiscal for an explanation as to the lack of communication especially in light of previous failures and also what measures have been put in place to ensure that lack of communication does not occur again. I have written to him again referring to this explanation and asking him to provide it.

We will meanwhile monitor the proceedings for 2 August 2007 and this in the first instance will be done by Victoria Aquino.

In relation to these criminal proceedings I enclose copy complaint. You will see that I have highlighted the various sections in the Health & Safety legislation in relation to the complaint.

The main regulation is Section 3. You will recall that I stated that these proceedings had been taken by way of complaint and not by indictment. Had that been an indictment then that would have been heard before a jury. As it is a summary case it is heard before a single judge and there is a limit on the fine up to £20,000.

In relation to the other offences the maximum fine would be £400. Again this is because it is heard before a Judge.

I also asked the Procurator Fiscal as to why it is that these are taken on summary complaint and not by indictment thereby restricting the scope for fines.

I will be in further contact in due course.

Yours sincerely



Frank Maguire
THOMPSONS

FTM/JK

IN THE SHERIFF COURT OF GLASGOW & STRATHKELVIN AT GLASGOW

The COMPLAINT of the PROCURATOR FISCAL against

ABF GRAIN PRODUCTS LIMITED
Weston Centre,
10 Grosvenor Street,
London,
W1K 4QY

Date of Birth:

TNT LOGISTICS UK LIMITED
TNT House,
Holly Lane Industrial Estate,
Atherstone,
Warwickshire,
CV9 2RY

Date of Birth:

The charge against you is that

(001) on 12 July 2005 at 180 Glentanar Road, Glasgow you ABF GRAIN PRODUCTS LIMITED and TNT LOGISTICS UK LIMITED being employers within the meaning of the aftermentioned Act did fail to conduct your undertaking in such a way as to ensure, so far as was reasonably practicable, that persons not in your employment who may have been affected thereby were not exposed to risks to their health or safety in that you did fail to ensure that Graham Meldrum, now deceased, employee of Suzilne Ltd, who was required as part of your undertakings to operate a Ratcliff RV1500LC cam closure tail lift fitted to vehicle trailer number 05739 was protected from said risks to his safety associated with such use in respect that said Graham Meldrum did not receive adequate training regarding the use of said tail lift and the cam closure mechanism and anti-luce fasteners of said tail lift were not maintained in an efficient state, in efficient working order and in good repair as a result of which said Graham Meldrum was struck by said tail lift and sustained injuries from which he died;

CONTRARY to Sections 3(1) and Section 33(1)(a) of the Health and Safety at Work etc Act 1974

(002) on 12 July 2005 at 180 Glentanar Road, Glasgow you ABF GRAIN PRODUCTS LIMITED being an employer within the meaning of the aftermentioned Act, did fail to ensure that work equipment, namely Ratcliff RV 1500LC cam closure tail lift fitted to vehicle trailer number 05739 was maintained and in an efficient state, in efficient working order and in good repair;
CONTRARY to the Provision and Use of Work Equipment Regulations 1998, Regulation 5(1) and the Health and Safety at Work etc. Act 1974, Section 33(1)(c)

(003)/

h and Safety at Work etc. Act 1974 (c. 37)

3.

shall be the duty of every employer to conduct his undertaking in such a way as
re, so far as is reasonably practicable, that persons not in his employment who
affected thereby are not thereby exposed to risks to their health or safety.

33.

an offence for a person—

l to discharge a duty to which he is subject by virtue of section [3]

Charge 2

The Provision and Use of Work Equipment Regulations 1998

5- (1) Every employer shall ensure that work equipment is maintained in an efficient state, in efficient working order and in good repair.

Health and Safety at Work etc. Act 1974 (c. 37)

Section 33.

(1) It is an offence for a person—

(c) to contravene any health and safety regulations . . . or any requirement or prohibition imposed under any such regulations (including any requirement or prohibition to which he is subject by virtue of the terms of or any condition or restriction attached to any licence, approval, exemption or other authority issued, given or granted under the regulations);

Charge 3

The Provision and Use of Work Equipment Regulations 1998

8. - (1) Every employer shall ensure that all persons who use work equipment have available to them adequate health and safety information and, where appropriate, written instructions pertaining to the use of the work equipment.

Health and Safety at Work etc. Act 1974 (c. 37)

Section 33.

(1) It is an offence for a person—

(c) to contravene any health and safety regulations . . . or any requirement or prohibition imposed under any such regulations (including any requirement or prohibition to which he is subject by virtue of the terms of or any condition or restriction attached to any licence, approval, exemption or other authority issued, given or granted under the regulations);

Charge 4

The Provision and Use of Work Equipment Regulations 1998

9. - (1) Every employer shall ensure that all persons who use work equipment have received adequate training for purposes of health and safety, including training in the methods which may be adopted when using the work equipment, any risks which such use may entail and precautions to be taken.

Health and Safety at Work etc. Act 1974 (c. 37)

Section 33.

(1) It is an offence for a person—

(c) to contravene any health and safety regulations . . . or any requirement or prohibition imposed under any such regulations (including any requirement or prohibition to which he is subject by virtue of the terms of or any condition or restriction attached to any licence, approval, exemption or other authority issued, given or granted under the regulations);

Charge 5

The Management of Health and Safety at Work Regulations 1999

12.— **(3)** Every employer shall ensure that any person working in his undertaking who is not his employee and every self-employed person (not being an employer) shall ensure that any person working in his undertaking is provided with appropriate instructions and comprehensible information regarding any risks to that person's health and safety which arise out of the conduct by that employer or self-employed person of his undertaking

Health and Safety at Work etc. Act 1974 (c. 37)

Section 33.

(1) It is an offence for a person—

(c) to contravene any health and safety regulations . . . or any requirement or prohibition imposed under any such regulations (including any requirement or prohibition to which he is subject by virtue of the terms of or any condition or restriction attached to any licence, approval, exemption or other authority issued, given or granted under the regulations);

Penalties

Health and Safety at Work etc. Act 1974 (c. 37)

Charge 1:

(1A)a person guilty of an offence under subsection (1)(a) above consisting of failing to discharge a duty to which he is subject by virtue of section [3] shall be liable—

(a) on summary conviction, to a fine not exceeding £20,000.

Charges 2-5:

(3)a person guilty of an offence under subsection (1) above... or of an offence under any of the existing statutory provisions, being an offence for which no other penalty is specified, shall be liable—

(a) on summary conviction, to a fine not exceeding £400.



SCOTTISH EXECUTIVE

Correspondence Unit

St Andrew's House
Regent Road
Edinburgh EH1 3DG

Telephone: 0131-244 3080
Fax: 0131-244 2780
Cameron.Pammenter@scotland.gsi.gov.uk
<http://www.scotland.gov.uk>

Your ref:
Our ref: 2007/0026007

06 Aug 2007

Mr John Cooper


Dear Mr Cooper


I am writing to acknowledge your recent letter to Kenny MacAskill regarding your request for a meeting to discuss Scottish Law and Corporate Killing. Ministers' diaries are always very busy but your kind invitation will receive careful consideration.

Yours sincerely

Cameron Pammenter

Correspondence Unit

From: "john cooper" 
Date: 2007/08/21 Tue PM 03:49:12 BST
To: "John Cooper"
Subject: Fw: Forthcoming ROSPA conference in Glasgow

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----- Original Message -----

From: [john cooper](#)
To: jkyte@rospa.com
Sent: Tuesday, August 21, 2007 7:48 AM
Subject: Forthcoming ROSPA conference in Glasgow

Dear Mr Kyte,

Further to our telephone conversation of last week and as requested, I am formally contacting you to ask for relatives of Graham Meldrum to be allowed to address your conference "From liability to Leadership" on the 26th of September at the Hilton Hotel in Glasgow. Graham was killed in an incident at work two years ago. Two companies are being prosecuted at the Sheriff Court in Glasgow this month. We feel that we are in a unique position to make an invaluable contribution to the conference. We note that ROSPA aims to "Contribute to debate" and "Educate and inform for the good of all". We share ROSPA's concern for increased awareness within the workplace, and we feel that Graham's story will reach your delegates in a way that the rest of the presentation will be unable to. If you require any other information please do not hesitate to contact me on 0141 579 8968.

I look forward to hearing
from you,
John Cooper.

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John Cooper

Dear Mr MacAskill,

Thank you for your letter of the 8th of August regarding our desire to see justice done for the late Graham Meldrum. However on behalf of Graham's family, friends and support group I must express great sadness at your response. Graham's death is more than a mere statistic. We are dealing with the loss of a husband, father, son and friend. The repercussions of Graham's death will affect all of these people for the rest of their lives. Myself and many of the campaign members voted for your party because we are inspired by the possibility of an Independent Scotland where guilty employers will be held accountable for their cavalier penny pinching actions that have led to the deaths of countless working people. The Graham Meldrum memorial campaign sincerely believed that a change of administration at Holyrood would lead to a social and industrial climate where the hitherto unpunished actions of unscrupulous employers would be brought to book.

We are well aware of the impending Corporate Manslaughter and Corporate Homicide Act which will become law in April 2008. I cannot stress enough however that the act will not bring justice to the memory of Graham Meldrum. The likelihood is that Graham's corporate killers will plead guilty in the interim period before the act becomes law and so called "justice" will be meted in the form of a paltry fine, the likes of which would represent mere minutes worth of profit to the defendants ABF and TNT.

Graham's widow and elderly parents feel they have already been snubbed and rejected by the legal system. I know you are a very busy man and may wonder what can be gained from meeting the family, but the important thing is that it would be of great comfort to them. Therefore from the bottom of my heart I ask you to reconsider and meet with us,

Yours sincerely,